

**IN THE UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF TEXAS
MARSHALL DIVISION**

NORTHEASTERN UNIVERSITY and
JARG CORP.,

Plaintiffs,

v.

GOOGLE INC.,

Defendant.

Civil Action No. 2:07-CV-486 (TJW)

Jury Trial Demanded

JOINT CLAIM CONSTRUCTION AND PREHEARING STATEMENT

Pursuant to Eastern District of Texas Patent Rule 4-3, Plaintiffs Northeastern University and Jarg Corporation and Defendant Google Inc. hereby provide their Joint Claim Construction and Prehearing Statement.

I. AGREED CLAIM CONSTRUCTIONS

The parties have met and conferred regarding their Rule 4-2 exchange and have agreed to the meaning of certain claim terms, phrases or clauses. These terms, and their agreed meanings, are set forth in Exhibit A (attached).

II. DISPUTED CLAIM CONSTRUCTIONS

With respect to those terms, phrases, or clauses on which the parties could not reach agreement, the parties have set forth their respective proposed constructions, including the intrinsic and extrinsic evidence relied upon in support thereof, in Exhibits B and C (attached). The parties reserve the right to rely on and rebut any evidence cited by any party.

III. ANTICIPATED LENGTH OF CLAIM CONSTRUCTION HEARING

The parties believe that it would be appropriate for the Court to allocate two hours for the claim construction hearing, with one hour allocated to each side (including reserved rebuttal time).

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Case No. 2:07-CV-486 (TJW)

IV. CLAIM CONSTRUCTION LIVE WITNESSES

The parties do not anticipate calling live witnesses at the claim construction hearing.

V. CLAIM CONSTRUCTION PREHEARING CONFERENCE

The parties do not believe a claim construction prehearing conference is needed.

Dated: August 28, 2009

Respectfully submitted,

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CERTIFICATE OF SERVICE

The undersigned certifies that the foregoing document was filed electronically in compliance with Local Rule CV-5(a). As such, this document was served on all counsel who are deemed to have consented to electronic service. Local Rule CV-5(a)(3)(A). Pursuant to Fed. R. Civ. P. 5(d) and Local Rule CV-5(d) and (e), all other counsel of record not deemed to have consented to electronic service were served with a true and correct copy of the foregoing by email and/or fax, on this the 18th day of December, 2008.

/s/ Michael A. Valek

Michael A. Valek